



Westinghouse Electric Company
Nuclear Power Plants
P.O. Box 355
Pittsburgh, Pennsylvania 15230-0355
USA

U.S. Nuclear Regulatory Commission
ATTENTION: Document Control Desk
Washington, D.C. 20555

Direct tel: 412-374-6206
Direct fax: 412-374-5005
e-mail: sisk1rb@westinghouse.com

Your ref: Docket No. 52-006
Our ref: DCP/NRC2452

April 28, 2009

Subject: AP1000 ASME Code Case N-782

The ASME Code Cases used in the AP1000 are listed in Table 5.2-3 of Tier 2 of the AP1000 Design Control Document (DCD). The ASME Boiler and Pressure Vessel Standards Committee recently approved Code Case N-782, Use of Code Editions, Addenda, and Cases Section III, Division 1. This Code Case is required to align ASME Code, Section III requirements for the Code Edition and Addenda to the requirements of 10 CFR Part 52 and the Design Certification.

This Code Case is not included in NRC Regulatory Guide 1.84, Revision 34. As required by 10 CFR 50.55a (a)(3) Westinghouse is requesting approval for the use of this ASME Code Case as proposed alternatives to the rules of 10 CFR 50.55a.

Code Case N-782 provides that the Code Edition and Addenda endorsed in a design certified by the regulatory authority may be used for systems and components constructed to ASME Code, Section III requirements. These alternative requirements are in lieu of requirements that base the Edition and Addenda on the construction permit date. The use and approval of Code Case N-782 is needed to align ASME Code requirements to the ASME Code Edition and Addenda cited in Design Control Document (DCD) Subsection 5.2.1.1. Reference to Code Case N-782 will be included in component and system design specifications and design reports to permit certification of these specifications and reports to the Code Edition and Addenda cited in the (DCD) and approved by the NRC.

Code Case N-782 will be added to Design Control Document Table 5.2-3 as shown below.

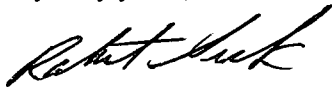
Table 5.2-3	
ASME CODE CASES	
Code Case Number	Title
N-782	<u>Use of Code Editions, Addenda, and Cases Section III, Division 1</u>

April 28, 2009

The information provided in this letter is generic and applies to all COL applicants referencing the AP1000 design certification. The information provided above should permit the NRC to complete its schedule for the review of the AP1000 Design Certification amendment.

Questions related to the content and preparation of this letter should be directed to Westinghouse. Please send copies of such questions or requests to the prospective applicants for combined licenses referencing the AP1000 Design Certification. A representative for each applicant is included on the cc: list of this letter.

Very truly yours,



Robert Sisk, Manager
Licensing and Customer Interface
Regulatory Affairs and Standardization

cc: B. Gleaves - U.S. NRC
E. McKenna - U.S. NRC
D. Jaffe - U.S. NRC
T. Spink - TVA
P. Hastings - Duke Power
R. Kitchen - Progress Energy
A. Monroe - SCANA
J. Wilkinson - Florida Power & Light
C. Pierce - Southern Company
E. Schmiech - Westinghouse
G. Zinke - NuStart/Entergy
R. Grumbir - NuStart
D. Lindgren - Westinghouse
D. Burns - Westinghouse
C. Pezze - Westinghouse
C. Hoffman - Westinghouse Windsor